

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

TRUE THE VOTE, *et al.*

PLAINTIFFS

V.

CIVIL ACTION NO.: 3:14-CV-532-NFA

THE HONORABLE DELBERT HOSEMANN,
in his official capacity, as Secretary of State for the
State of Mississippi, *et al.*,

DEFENDANTS

**LAUDERDALE COUNTY MISSISSIPPI ELECTION COMMISSION'S
OBJECTION TO NOTICE OF FILING OF INCIDENT REPORTS**

COMES NOW, Defendant Lauderdale County Mississippi Election Commission ("Lauderdale"), through counsel, and files its Objection to Notice of Filing of Incident Reports [Doc. 49], and in support thereof, would show unto the Court the following:

1. Lauderdale hereby joins, adopts and incorporates herein by reference paragraphs 1 through 4 of the Objection [ECF No. 64] filed by the Copiah County Mississippi Election Commission on or about July 31, 2014.
2. Further, Lauderdale specifically objects to the "Incident Reports" pertaining to Lauderdale County and/or the Lauderdale County Mississippi Election Commission. Similar to the Plaintiffs' approach with Copiah County and several other counties, the Plaintiffs did not list the document as an Exhibit at the hearing, nor did the Plaintiffs call any of the witnesses listed in the Incident Report as a witness at the hearing. As a result, Lauderdale elected not to call any witnesses. At the hearing, there was no reference, much less evidence, submitted by Plaintiffs pertaining in any way to Lauderdale. The

Court also indicated at the hearing that the documents (recently filed by Plaintiffs as ECF No. 49) were not going to be accepted into evidence.

3. The documents are hearsay, have no indicia of reliability, and are nothing more than unsworn written statements made by persons who did not appear to testify and were not made available to Lauderdale and the other Defendants for cross examination at the hearing. Lauderdale concurs with the Copiah County Mississippi Election Commission that to allow these Incident Reports to be accepted into evidence in this fashion violates fundamental fairness and is contrary to law.

This the 5th day of August, 2014.

Respectfully submitted,

LAUDERDALE COUNTY, MISSISSIPPI
ELECTION COMMISSION, DEFENDANT

BY: /s/ Lee Thaggard

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CERTIFICATE OF SERVICE

I hereby certify that on this date I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

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and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participants:

None.

Respectfully submitted this the 5th day of August, 2014.

/s/ Lee Thaggard

Lee Thaggard